

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION

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Darrell L. Goss, Sr.,  
Petitioner,

v.

Warden Brian Kendell,  
Respondent.

CIA No. : 2:22-cv-103-BHH-MGB

MOTION TO SUPPLEMENT  
OBJECTIONS TO  
REPORT AND RECOMMENDATION

Petitioner hereby moves this Honorable Court to supplement the record of this case to include additional evidence to show the Court that he should be excused from the state court exhaustion requirement because of inordinate delay or inaction in state proceedings, which renders the process ineffective to protect his rights. see Ward v. Freeman, 46 F.3d 1139 (4th Cir. 1995).

On December 8, 2021, Petitioner's second PCR hearing was held in state court. At the hearing, Petitioner complained largely about the insufficiency of the state's evidence against him. The PCR court took the matter under advisement, and issued an informal

order denying relief on December 18, 2021. In that same order, the PCR court instructed the state's attorney general office to prepare and serve a proposed order within 30 days.

To date, no proposed order has been prepared or served on Petitioner, who is representing himself. Petitioner has filed several motions to expedite his PCR case with the PCR Court, Court of Appeals, and Supreme Court, all to no avail. see, Attachment.

It has become very clear to Petitioner that the state's sole intention is to delay Petitioner's PCR case as long as possible, with the hopes that he would eventually give up and stop fighting his case. But they are sadly mistaken. Because Petitioner will fight his case to the end. He is innocent of the crimes which he has been convicted for.

Accordingly, this Court should consider the merits of Petitioner's habeas claims pursuant to Jackson v. Virginia, 443 U.S. 307, 99 S.Ct. 2781, 61 L.Ed. 2d 560 (1979).

Respectfully Submitted,

Darrell L. Goss

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Lieber Corr. Inst.

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May 13, 2022